

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARVIN TILLMAN,	:	
	:	Civil Action No. 09-3312 (SRC)
Petitioner,	:	
	:	ORDER TO ANSWER
v.	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	
	:	
	:	

This matter having come before the Court on the July 1, 2009 motion of Petitioner Marvin Tillman (“Petitioner”) to vacate, set aside or modify sentence, pursuant to 28 U.S.C. § 2255; and this Court having advised Petitioner of his rights under United States v. Miller, 197 F.3d 644 (3d Cir. 1999) by Order dated August 17, 2009; and Petitioner having received notice of these rights and filed a timely response advising that he wishes to pursue the Petition under 28 U.S.C. § 2255; and the Court construing the original Petition as Petitioner’s all-inclusive § 2255 Petition; therefore,

IT IS on this 21st day of September 2009,

ORDERED that the Clerk of the Court shall serve copies of the Petition, this Order, and all other documents docketed in this matter upon Respondent by certified mail, return receipt requested, with all costs of service advanced by the United States; and it is further

ORDERED that Respondent shall file a full and complete answer to the Petition within 45 days of the entry of this Order; and it is further

ORDERED that Respondent shall raise by way of its answer any appropriate

defenses which it wishes to have the Court consider, including, with respect to the asserted defenses, relevant legal arguments with citations to appropriate legal authority; and it is further

ORDERED that the answer shall be accompanied by certified copies of all notices, opinions, documents, transcripts or recordings of any proceedings, including all documentation that may be material to the questions raised in the Amended Petition.

s/Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge

DATED: September 21, 2009